

Remarks

This is responsive to the Office Action mailed January 6, 2006 in which the Examiner rejected claims 1, 2 and 4-17 under 35 U.S.C. §103(a) over Parker (US 5894686) in view of Normont (US 5345700) or Feiner (US 6278378), and rejected claim 3 under §103(a) over that same combination in further view of Rodgers (US 5422628) or Silverman (5483759). In response, applicant has canceled claims 1-9, amended claims 10 and 12-17 and added a new claim 18.

Applicant's Invention

This invention is predicated on the concept of providing an interactive shoe for younger children which helps teach them numbers, shapes, colors or other designs. Additionally, an array of LEDs mounted to the upper of the shoe illuminate in a flashing sequence when the child walks thus providing a decorative element to the shoe.

In each of the presently preferred embodiments, an array of LEDs is mounted in a decorative pattern on the upper of the shoe. An electrical circuit including a controller in the form of an integrated circuit (IC) is operative to illuminate these LEDs in a flashing sequence. The IC is activated by a spring switch or other motion-activated inertia switch, such as when a child walks in the shoe.

The educational aspect of the shoe of this invention operates independently of the spring switch. Different indicia, each in the form of a patch of material marked with a number, for example, are mounted to the upper of the shoe over a separate manual switch connected to an IC associated with the controller. For example, three patches having the numbers one, two and three may be provided, each overlying a separate manual switch in the upper of the shoe. When the child presses on the patch bearing the number "1," the manual switch underneath that patch sends a signal to the IC which causes the loudspeaker to produce the sound for the number "1." The same is true for the other numbers, and there may be essentially any combination of numbers employed on the shoe.

Alternatively, the patches of material mounted to the shoe may include different colors, designs or shapes. When a child presses one of the patches, for example one having a red color, the manual switch underneath that patch sends a signal causing the IC to operate the loudspeaker so that

the sound for the color “red” is produced. Similarly, if one of the patches is formed in or bears the shape of a star, for example, the sound for the term “star” is made by the loudspeaker by depressing the manual switch underlying the star-shaped patch. The educational aspect of this invention therefore assists the child in learning his or her numbers, colors, shapes or other designs while adding an element of fun to the shoe.

Rejection of Claims

Independent claim 13 has been amended to stress to interactive, educational aspect of this invention. It recites both a motion-activated inertia switch coupled to a controller for activating the light source, and a number of manually-operated switches coupled to the controller for activating a loudspeaker. Each manually-operated switch is associated with a different indicia, such as a shape, number, color etc., and the controller is operative to cause the loudspeaker to sound the word which identifies the indicia overlying a respective manually-operated switch when such switch is actuated.

As acknowledged by the Examiner, Parker fails to disclose or suggest the use of indicia on a shoe, each associated with a discrete switch, to produce sound which identifies the indicia overlying the switch. This defect is not cured by any of the other references of record. Feiner is directed to a device for measuring the performance of the wearer of a shoe involved with different activities such as running or jumping. A press function button 140 is actuated, corresponding to an activity to be performed, which activates a central processing unit (CPU). The CPU, in turn, measures the performance of the wearer during the selected activity and provides feedback on how well the wearer is doing as reflected by level indicators 150, 170 (an array of lights) or an audible message. No manually-operated switches are provided overlying an indicia formed of or bearing a particular number, shape, color or the like, and there is no teaching or suggestion in Feiner of activating a speaker to sound the word identifying such indicia when the corresponding switch is actuated. Norment is equally deficient. He discloses a shoe having a single manually operated switch which may include a “visual means” 29 to indicate where the switch is located on the shoe. See Col. 5, lines 65-68. A single, audible signal is provided, which may be a musical composition or a message. In either case, the audible signal does not identify the visual means overlying the switch, and therefore the shoe fails to perform the educational feature of the claimed invention.

In view of the amendment to the claims and the argument given above, applicant considers this case to be in a condition for allowance and early notification of same is respectfully requested.

Respectfully submitted,

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